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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/665,628	09/22/2003	Anthony W. James	FOUND-0054	6554

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EXAMINER	
RAMAKRISHNAIAH, MELUR	
ART UNIT	**PAPER NUMBER**
2643	

DATE MAILED: 04/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/665,628	JAMES, ANTHONY W.	
	Examiner	Art Unit	
	Melur Ramakrishnaiah	2643	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *22 September 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-39* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *22-39* is/are allowed.

6)☒ Claim(s) *1-21* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *4-8-2005*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1, 3, 4, 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stumer (US PAT: 6,678,357, filed 9-26-2001, hereinafter Stumer) in view of McCalmount et al. (US PAT: 6,771,742, filed 10-21-2002, hereinafter McCalmount).

Regarding claim 1, Stumer discloses a method of supporting enhanced 911 (E911) emergency services in a network access device, comprising: assigning a physical location identifier to an input port of the network access device (col. 2 lines 52-60, col. 3, line 37 – col. 4, line 9), detecting a Voice over Internet Protocol (VoIP) telephone coupled to the input port, transmitting the unique device identifier and the physical location identifier to an E911 database management system, thereby permitting the E911 database management system to store the physical location identifier in association with the unique device identifier (col. 5, line 42 – col. 7, line 33).

Stumer differs from claims 1 and 4 and in that he does not teach authenticating the VOIP telephone, and receiving a unique device identifier that comprises a telephone number of VoIP

However, McCalmount discloses geographic routing of emergency service call center emergency calls which teaches the following: authenticating the VOIP telephone, and receiving a unique device identifier that comprises a telephone number of VoIP

(note: receiving telephone number is implied in as much as the reference teaches authenticating the VoIP telephone call, col. 4 lines 31-37).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Stumer's system to provide for the following: authenticating the VoIP telephone, and and receiving a unique device identifier that comprises a telephone number of VoIP as this arrangement would verify whether user of the VoIP is a subscriber to VoIP service or not as taught by McCalmount, thus ensuring service only for authorized users.

Regarding claims 3, 7, Stumer teaches the following: assigning a physical location identifier to the input port that corresponds to a physical location of a termination to the input port (col. 2 lines 53-60), transmitting unique device identifier and the physical location identifier to a location information server (LIS) that is communicatively coupled to the E911 database management system (col. 3 lines 4-11).

3. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Stumer in view of McCalmount as applied to claim 1 above, and further in view of Bahl et al. (US PAT: 6,782,422, filed 8-31-2000, hereinafter Bahl).

Regarding claim 2, the combination does not teach the following: authenticating the VOIP telephone in accordance with an IEEE 802.1X protocol.

However, Bahl discloses system and method for resynchronization and notification in response to network media events which teaches the following: use of IEEE 802.1X protocol in connection with authentication (col. 11 lines 52-58).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify the combination to provide for the following: authenticating the VOIP telephone in accordance with an IEEE 802.1X protocol as this arrangement would provide another well known protocol for authenticating as shown by Bahl.

4. Claims 5-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stumer in view of McCalmount as applied to claim 1 above, and further in view of Szeto et al. (US PAT: 6,618,476, filed 9-2-1999, hereinafter Szeto).

Regarding claims 5-6, the combination does not teach the following: unique device identifier that comprises: an Internet Protocol (IP) address of the VoIP telephone, media access control (MC) address of the VoIP telephone.

However, Szeto discloses line information security interface for TAPI service provider which teaches the following: telephony device identifiers comprises IP address, MAC address, etc (col. 10 lines 25-27).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify the combination to provide for the following: unique device identifier that comprises: an Internet Protocol (IP) address of the VoIP telephone, media access control (MC) address of the VoIP telephone as this arrangement would facilitate providing other identifiers to a telephone device for further use as taught by Szeto.

5. Claims 8, 10-12, 14, 15, 17-18, 19, 21, are rejected under 35 U.S.C. 103(a) as being unpatentable over Oran et al. (US PAT: 6,665,611 B1, filed 6-19-2001, hereinafter

Oran), McCalmount and Lindasy et al. (US PAT: 6,526,125, filed 12-11-1999, hereinafter Lindasy).

Regarding claim 8, Oran discloses a network access device that supports enhanced 911 (E911) emergency services, comprising: an input port in (304, fig. 3), a switching fabric (124, figs. 1, 3) for routing the received calls via the input port to at least one output port, and control logic adapted in (306, fig. 3) adapted to assign a physical location identifier to the input port, transmit the physical location identifier and the unique device identifier to PSAP management system (fig. 1, col. 10 lines 11-48).

Regarding claim 15, Oran discloses a network system for supporting enhanced 911 (E911) emergency services comprising: a host network in (100, fig. 1) communicatively coupled to a PSAP management system, a network access device (124, figs. 1, 3) communicatively coupled to the host network, a Voice over Internet Protocol (VoIP) telephone communicatively coupled to an input port (for example Ps in fig. 3) of the network access device, wherein the network access device is adapted to assign a physical location identifier to the input port, and to transmit location identifier and unique device identifier to the PSAP management system (col. 10 lines 11-48).

Oran differs from claims 8, 11, 15, 18 in that he does not teach the following: authenticate the VoIP telephone, receiving a unique identifier comprising a telephone number of the VoIP telephone; E911 database management system to store the information in connection with emergency call.

However, McCalmount teaches the following: authenticate the VoIP telephone, receiving a unique identifier comprising a telephone number of the VoIP telephone

(note: receiving telephone number is implied in as much as the reference teaches authenticating the VoIP telephone call, col. 4 lines 31-37); and Lindasy teaches the following: receiving information from an emergency call (911 call) to maintain and mange the ALI database with correct information (figs. 1-2, col. 4, line 35 – col. 5, line 23).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Oran's system to provide for the following: authenticate the VoIP telephone, receiving a unique identifier comprising a telephone number of the VoIP telephone as this arrangement would verify whether user of the VoIP is a subscriber to VoIP service or not as taught by McCalmount, thus ensuring service only for authorized users; E911 database management system to store the information in connection with emergency call as this arrangement would facilitate managing location information database with correct information as taught by Lindasy .

Regarding claims 10, 12, 17, 19, Oran teaches the following: control logic is adapted to receive unique device identifier to the input port that corresponds to physical location of a termination point of the port, network access device is adapted to assign a physical location identifier to the input port that corresponds to a physical location of a termination point of the input port (col. 3 lines 6-17), unique identifier comprising an Internet Protocol address of the VoIP telephone, network access device is adapted to receive a unique device identifier that comprises an Internet Protocol (IP) address of the VoiP telephone (fig. 6, col. 9 lines 6-18).

Regarding claims 14 and 21, Oran does not teach the following: control logic adapted to transmit the unique device identifier and the physical location identifier to a location information server (LIS) that is communicatively connected to the E911 database management system.

However, McCalmount teaches the following: control logic adapted to transmit the unique device identifier and the physical location identifier to a location information server (LIS) that is communicatively connected to the E911 database management system (col. 4 lines 28-66).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Oran's system to provide for the following: control logic adapted to transmit the unique device identifier and the physical location identifier to a location information server (LIS) that is communicatively connected to the E911 database management system as this arrangement would facilitate maintaining relevant information for processing emergency call to correct PSAP as taught by McCalmount.

6. Claims 9 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oran, McCalmount and Lindasy as applied to claims 8, 15 above, and further in view of Bahl.

Regarding claims 9 and 16, the combination does not teach the following: logic is adapted to authenticate the VoiP telephone in accordance with an IEEE 802.1x protocol.

However, Bahl discloses system and method for resynchronization and notification in response to network media events which teaches the following: use of IEEE 802.1X protocol in connection with authentication (col. 11 lines 52-58).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify the combination to provide for the following: logic is adapted to authenticate the VoiP telephone in accordance with an IEEE 802.1x protocol as this arrangement would provide another well known protocol for authenticating as shown by Bahl.

7. Claims 13, 20, are rejected under 35 U.S.C. 103(a) as being unpatentable over Oran, McCalmount and Lindasy as applied to claims 8, 15 above, and further in view of Szeto.

Regarding claims 13 and 20, the combination does not teach the following: control logic is adapted to receive a unique device identifier comprising a media access control (MAC) address of the VoIP telephone.

However, Szeto discloses line information security interface for TAPI service provider which teaches the following: telephony device identifiers comprises IP address, MAC address, etc (col. 10 lines 25-27).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify the combination to provide for the following: control logic is adapted to receive a unique device identifier comprising a media access control (MAC) address of the VoIP telephone as this arrangement would facilitate providing other identifiers to a telephone device for further use as taught by Szeto.

8. Claims 22-39 are allowed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melur Ramakrishnaiah whose telephone number is (703) 305-1461. The examiner can normally be reached on M-F 6:30-4:00; every other F Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz can be reached on (703)305-4708. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Melur Ramakrishnaiah
Primary Examiner
Art Unit 2643